

REMARKS

In the Office Action, the Examiner rejected claims 1-3, 5, 7, 9, 11, 13-15, 22-23, 26-27, 29-33 and 37-39 under 35 USC § 102(e). In addition, as to claim 40, the Examiner objected to the drawings and rejected claim 40 under 35 USC § 112. Applicant respectfully disagrees with these objections and rejections.

The Examiner also identified claims 4, 10, 16-21, 28 and 34-36 as including allowable subject matter. As such, to expedite prosecution of this application, Applicants cancel claim 3, 4, 9, 10, 26, 32-34, 39 and 40 without prejudice or disclaimer. Since claim 40 has been cancelled, the objection to the drawings and the rejection under 35 USC § 112 are moot. Further, claim 1 has been amended to include the limitations previously recited in allowable claim 4, claim 7 has been amended to include the limitations previously recited in allowable claim 10, allowable claim 19 has been amended into independent form, claim 27 has been amended to include the limitation previously recited in allowable claims 32-34, allowable claim 35 has been amended into independent form, and claim 36 has been amended to depend from allowable claim 35. Moreover, claim 22 has been amended in a manner similar to allowable claim 19, and claims 23 and 37 have been amended in a manner akin to amendments made to claim 1. Therefore, the rejection under 35 USC § 102(e) should be withdrawn.

Reconsideration of the application and an early Notice of Allowance of claims 1, 2, 5, 7, 11, 13-23 and 27-31, 35-38 are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment.

Respectfully submitted,
Technology & Innovation Law Group, PC

/C. Douglass Thomas/

C. Douglass Thomas
Reg. No. 32,947

19200 Stevens Creek Blvd., Suite 240
Cupertino, CA 95014
408-252-9991